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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,388	08/17/2001	William R. Maulsby	36891.0000	4444
7590	07/01/2004		EXAMINER	
Christopher J. Gaspar Milbank, Tweed, Hadley & McCloy LLP 1 Chase Manhattan Plaza New York, NY 10005-1413			RUHL, DENNIS WILLIAM	
			ART UNIT	PAPER NUMBER
			3629	
DATE MAILED: 07/01/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	09/932,388	MAULSBY ET AL.	
	Examiner	Art Unit	
	Dennis Ruhl	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-32 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20030610</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

1. With respect to the IDS of 6/10/03, the document entitled "Sunday Cruddy Sunday" has not been provided to the examiner for review so it has not been considered. Applicant is reminded that if the document is submitted after first action, the IDS rules for after first action must be complied with. See 37 CFR 1.97 and 1.98.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-32 are rejected under 35 U.S.C. 102(b) as being anticipated by DeLorme et al. (5948040).

For claims 1-4, 8-32, DeLorme discloses a system and method for allowing a consumer to plan a trip. The planning includes allowing the consumer to purchase or obtain tickets (reservation) to an event such as a scuba diving charter, an outdoor expedition, restaurant reservations, theme parks, tours, etc.. The system also has the ability to link with service providers to enable the consumer to secure a reservation for transportation to the event. Claim 1 can be interpreted in more than one manner. One interpretation is that the "event" the consumer is getting a ticket for is an airline flight. An airline flight is an event. The consumer can secure the airline flight reservation and then choose an option for ground transportation (for example see column 18, lines 40-end). Choosing ground transportation is an indication that an identifier (ground transportation icon or link) has been selected. Data is then provided that represents an arrangement for the ground transportation (i.e. taxi) from the consumer's home to the

event (the airport to catch the flight). Another interpretation commensurate with the disclosure of DeLorme that satisfies what is claimed is a consumer purchasing a ticket for an opera, and then securing a train ticket to the city where the event is to take place in. DeLorme discloses the method and system as claimed.

With respect to claim 5, a consumer may choose to rent a rental car for ground transportation to the event and this is the same as securing a specific seat in the ground transportation vehicle (the driver seat). The driver must sit in the driver's seat. In the example of choosing to utilize rail (train) for ground transportation a specific seat would be secured for the consumer.

For claim 6, DeLorme discloses that the ticket for admission to the event can be purchased prior to securing ground transportation.

For claim 7, when one reserves a seat on a flight, a route is specified, which is the start and finishing of the flight.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jones et al. (20020156661), Garback (5237499), Wilder (5408417), and Sehr (6085976) are considered relevant by the examiner.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Ruhl whose telephone number is 703-308-2262. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703-308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DENNIS RUHL
PRIMARY EXAMINER